DISCOURSE
OF
Licenſes to Preach.

OCCASIONED

By a Queſtion Propounded, viz.

Why many Officers of the Church of *England*, in the Epiſcopal Viſitations, urge the Incumbents, to take LICENSES to Preach.

Replyed to by Ja. Metford *Rector of* Baſingham, *in the County of* Lincoln: *In a Letter to the Propoſer.*

Publiſhed for the Conſideration of the CLERGY, to whom it is of no ſmall Importance.

LONDON:

Printed for *H. Hindmarſh*, at the *Golden-Ball* over againſt the *Royal Exchange* in *Cornhil.* 1698.

TO THE

Righ Reverend Father in God,

JAMES by Divine Providence Lord Biſhop of *Lincoln.*

My Lord,

WE can never be enough Thankful to his Sacred Majeſty, the great Patron of this Church; that He was pleaſed to honour Us, with a Biſhop, taken from among our Selves, to fill the Chair of this Ancient See of *Lincoln*: who is neither Ignorant of our Perſons, nor our Needs, nor unwilling to Hear and Reſolve our Doubts. This ſmall Diſſertation therefore, comes in all Humility, and with moſt profound Reſpect, to ſhew your Lordſhip, the Senſe of moſt of your Clergy, about an odd Cuſtom, introduced in theſe later Ages, of Obliging Incumbents to take *Licenſes to Preach.* And that, even after they have received Ordination, and Inſtitution.

We believe that your Lordſhip intends not to elumbate the Dignity of Preiſthood: nor to divulſe its Eſſential, (or at leaſt Integral) Parts,

from each other. And accordingly that you will never permit, any Conſideration, to gain that Aſcendency in your Thoughts, as to continue a Cuſtom, utterly unknown to the Primitive, and middle times; and unuſeful in theſe. And can furniſh Us with nothing but Scruples in our Selves, and Objections againſt us in our Adverſaries.

We know that you have Kindneſs enough, to forgive the Weakneſs of Management; and Wiſdom enough to ſtrengthen its defects, where it needs; and therefore do humbly ſubmit the whole matter to your ſound Judgment: in full aſſurance, that you will add to the Bleſſing of our publick Peace, by giving us private ſatisfaction, in withdrawing this Cuſtom, or at leaſt to Inſtruct us in the neceſſity of its Continuance, who have no other Deſign, but to be Dutiful, whatever is determined: and to be taught what we do not underſtand; which will be abundantly obliging to All, but more eſpecially to

My LORD,

Your Devoted Subject and
moſt Humble Servant,

J. M.

A

Diſcourſe of Licenſes to Preach.

SIR,

THE *Quare* laſt Night Propounded: why Licenſes to Preach, are ſo frequently, and vehemently urged to to be taken, and Exhibited, by Incumbents; in our Epiſcopal Viſitations: being then Anſwered with ſome hæſitation, the help of a few hours Thoughts, gives me the advantage of ſetting this matter in a clearer Light before you. Which I think (for want of a better Method) may be done by elucidating theſe Seven enſuing Propoſitions.

Firſt, That Ordination to Prieſthood, gives Authority to the Ordained to Preach.

Secondly, That the Church for 1400 years, never required Incumbents of Benefices, to take Licenſes to Preach.

Thirdly, That the Church Canons enjoyned all Incumbents to Preach, under great Penalties.

Fourthly, When Licenſes were firſt Introduced, they did not oblige Incumbents to take them.

Fifthly, If the Canons did ever oblige Incumbents to take Licenſes: It was upon an accidental Conſideration.

Sixthly, That Licenſes add, nor, diminiſh any thing, to or from the Title to any Benefice.

Seventhly, That the forcing Incumbents to take Licenſes (ſince the firſt Accidental Occaſion) was of no Benefit to the Church, but to gain Fees.

Theſe Propoſitions made good, will infer the Truth of my Sudden Anſwer. That theſe Licenſes are preſſed upon Incumbents upon very mean Conſiderations. I ſhall therefore apply my ſelf to clear them in Order.

I. *First*, That Ordination to Prieſthood, gives Authority to the Ordained to Preach. A Truth ſo well known, and believed, that few will Liſt themſelves in the Army of Opponents, but ſuch as Gain by it. Moſt will wonder what Ordination means, if it gives not Authority to Preach. For it was uſed to fit the Presbyter for his whole Function, of which Preaching was a very Conſiderable Part.

When our Saviour ordained his Miniſtry, He bid them *go teach all Nations, and Baptize them.* And in Conformity to Chriſts Inſtitution, the whole Catholick Church thus prepared Preachers by Ordination. And ſo doth the Church of *England* in her Office of Ordination, Require thoſe that are to be ordained to Promiſe, *That they will give faithful Diligence alwaies to miniſter the Doctrine and Sacraments—— And to teach the People committed to their Charge—— And to drive away all Erroneous and ſtrange Doctrines.* Without any previous Condition, *If they ſhould be thereunto Licenſed.* And farther the Ordainer ſaith, at Impoſition of hands: *Be thou a faithful Diſpenſer of the Word of God, and of his holy Sacraments.* So that he is as much Authorized to Preaching, as to Adminiſter Sacraments. And therefore may be as well forced to a new Licenſe for Adminiſtring Sacraments, as for the Preaching. But in truth, both theſe Functions are ſealed to him, under the moſt venerable Seal *In the Name of the Father, Son, and Holy Ghoſt.*

Matth. 28. 19.

If all this be thought too little, to Authorize him to Preach, yet ſure when the Ordaining Biſhop delivers Him the Bible with theſe Words; *Take thou Authority to Preach the Word of God, and to Miniſter the holy Sacraments, in the Congregation, where Thou ſhalt be lawfully appointed thereunto.* Who can doubt but that He is as much Authorized to Preach in that Place, as to Adminiſter holy Sacrament. That is, as much as all the Licenſes in the World can give Him. For here the Ordaining Biſhop, gives Him Authority to Preach and Adminiſter, under the moſt ſacred Circumſtances imaginable: being in Cathedra: in the preſence of God: and before the Aſſembly of Saints: at the Holy Altar: and Seals this Character, with the moſt tremendous Body and Blood of Chriſt. And what can a Scrole called a Licenſe do more than This? Is a Biſhop greater in his Study? or Dining Room? than at the Church? or is his Table greater than the Altar? or Himſelf and Secretary, more venerable than the Congregation? what pitty is it that Avarice or other unknown cauſe, ſhould run men into ſuch Abſurdities?

But

But They may say, though this be true, yet the Presbyter hath no Seal to Evidence this; so that He can't make it appear to all People where He comes. This we must Justly deny, for He receives Letters of Orders under the Bishops hand and Seal; by which this Authority is manifested, as much as by the License. So then, we do with good Conscience, and upon plain Evidence affirm, the Presbyter hath License to Preach by his Letters of Orders, and needs no more, if Officers need no Money.

This Authority satisfied the holy Catholick Church for Fourteen Centuries: amongst whose Records we find no Licenses to Preach besides their Letters of Orders.

We hear of St. *Cyprian*'s Presbyter *Didiensis*, but read no other Title to Preach besides his Letters of Orders. And when the *Lauræ* were settled in *Ægypt*, we yet find nothing but Ordination and the Priests Mission to dwell in a house placed very near the Church: which answers well enough to our Institution.

Secondly, That the Church for 1400 years, never required Incumbents on Benifices, to take Licenses to Preach. II.

This Proposition being negative, admits of no other Proof, than that no notice of any Licenses to Preach, hath come to our hands, after the best Search we could make about them. We see Ordination did Qualify for Preaching in the Church. And find that Bishops did send their Presbyters abroad to administer Religion where they thought convenient. We find also a great many Requisite Forms, or Letters used in many Cases: as the Ἐπιστολαὶ Εἰρωτικαὶ Κανονικαὶ Συνοδικαὶ Συσταtικαὶ (which also were sometimes called Ἀπολυτικαὶ because they did not only commend the Party that had Them, but also contained his dismission in Peace.) There were also *Literæ Formatæ* (called so I think from the Form of the Bishops Seal put to them) as also *Communicatoriæ* given to Christians Travelling, that they might be received into the Catholick Communion, where they came. These and a few others, we meet with in the Primitive times, as the *Tractoriæ* which directed the Messengers of Churches, and gave them ready Acceptance where they were sent. And so ancient, that we find the Συσταtικαὶ or Commendatory Letters mentioned by S. *Paul* himself as of common use in his time. Witness those words of his Εἰ μὴ χρήζομεν ὡς Τινὲς Συσταtικῶν Ἐπιστολῶν And in the Synod of *Antioch* 2 *Cor.* 3. 1. *Can. Antioch.* 7, 8.

Antioch we ſee ſome others; but no where theſe Letters of Licenſe for Preaching. And if there were any ſuch, 'tis to be wonder'd at, that neither *Bernardinus Ferarius* that treated ſo minutely of the ancient Rights of Biſhops: nor *Alcuinus*, *Amalarius*, or any other of thoſe Antiquaries, that *Charles* the Great ſet on work, to ſearch the ancient cuſtoms of the Church: nor any other, of thoſe collected by *Melchior Hittorpius*, ſhould hit on them. We can't ſuſpect thoſe Authors of Ignorance, in the Church Canons and cuſtoms ſeeing it was a known Rule: *Nulli Sacerdotum liceat ſuos Canones ignorare.*

Grat. nulli diſt. 38.

We may add the Probability, that this Church of *England*, knew nothing of this Licenſe to Preach, in the time of Archbiſhop *Stratford An. Dom.* 1342, nor at any time before. For his Synod endeavoured to ſtop the Oppreſſions of the Clergy; and to Reſtrain the greedy appetites of the Officers; ſeeing the inferior Clergy groaning under their burdens, ready to joyn with the *Wicleſiſts* in their complaints. And therefore enumerated all the Seals and Writings then in uſe: and aſcertained the Fees, for them: but makes no mention of any Licenſes to Preach as diſtinct from Letters of Orders. They are thus reckoned. *Pro Scriptura Literarum, Inquiſitionum, Inſtitutionum, vel Collationum, & Commiſſionum ad inducendum, vel Certificatorijs ipſarum in Beneficijs, ultra* xij *Denarios. Pro Literis vero cujuslibet Sacri Ordinis, ultra* vj *Denarios dicti Clerici per ſe vel per alios, non recipiant quovis modo.* And farther to Evidence that the Synod intended to omit nothing then in uſe, they add that the Sewers, Porters, Grooms, nor Barbers ſhould require nothing, giving this Reaſon for it, That the Ordinary ought to maintain his own Servants with fitting Wages. Now can any man (not quite deſerted of Reaſon) imagine this intent Synod forgat theſe Licenſes to Preach? Or may we not more reaſonably conclude, there was no Footſtep of any ſuch Practice then in uſe? And yet we ſhall ſoon hear of it, even in his time, tho' not required to be taken by any Incumbents.

Lyndw. l. 3 tit 22 cap. Sæva &c.

III. *Thirdly*, That the Church Canons enjoyned all Incumbents to Preach under great Penalties; which ſurely they would not do, if they were not qualified for it, without Licenſes. But the Canons proceed on a Suppoſition, that Ordination and Inſtitution gave Title enough to furniſh out a Preacher for his Cure. It will not be neceſſary to ſhew the many Canons of *Codex Eccleſiæ univerſalis*, ſeeing our own Church hath plenty enough.

But

But if any desire it, he may consult *Photius* his *Nomo canon. tit.* 8. *c.* 2. where He may be satisfied.

For the Church of *Englands* zeal that way, we may consult *Stephen Langtons* Decree, in the Council holden at *Oxford Anno* 1222, how earnestly Preaching is urged on all Incumbents *Præsentis Concilij definitione districte duximus injungendum, ut Rectores & vicarij, Plebes sibi commissas pabulo verbi Dei, secundum quòd fuit ijs inspiratum, informare procurent, ne canes muti meritò judicentur: cùm latratu salubri a Caulis Dominicis Luporum spiritualium morsus non expellunt* &c.

So likewise *John Peccham* in a Constitution made at *Lambeth An. Dom.* 1281 *Cap. Ignorantia Sacerdotum* &c. Imposes this care on the Archdeacon to watch the Clergy concerning Preaching. *Quoties Archidiaconi invenerint Presbyteros, Institutionem moralem populo minime prædicasse, seu publicasse, toties eos arguant & pœna Canonica castigando supplere compellant, quod temere omiserunt.*

The same Council also lays this charge on the Clergy. *Præcipimus, ut quilibet Sacerdos Plebi præsidens, quater in Anno— per. vel per alium exponat populo vulgariter, quatuor decem Fidei Articulos: Decem mandata Decalogi: Duo Præcepta Evangelij: Septem opera misericordiæ: Septem mortalia peccata* &c. and gives, them a Method how to do it. By which we may conclude, they were so far from Restraining their Clergy from Preaching; that they urged it by all good means they could. While we strive to embaras that work, till so much money is paid for our leave to do it.

'Tis true indeed, that if a Priest were a Stranger; that came out of *Ireland, Wales*, or *Scotland*, and for the same Reason, from any other Foreign Church, such a one was forbidden to celebrate any Divine Offices in this Church: If he came without Commendatory or Dimissory Letters of his Ordinary (And especially if there were any doubt of his Lawful Ordination) Unless He came with a License from the Diocesan. This Constitution was made under *Walter Reynolds*, in the Second Council at *Oxford Anno* 1322, in these words *Item præcipimus ne Sacerdotes ignoti, de quorum Ordinatione non constat ad Divinorum celebrationem diserviendo Ecclesijs admittantur, nisi de* Licentia *Episcopi Diœcesani.* Nor was it Lawful for the Diocesan to give him that License, without Letters Testimonial and good Evidence that He was lawfully ordained.

Here we ſee a Licenſe mentioned to be given by the Dioceſan, but it was to a Foreigner. 2 To one that was no Incumbent. 3. To one whoſe Ordination was doubted. 4. Twas a Licenſe *ad celebrationem Divinorum*, which the Gloſs interprets, to celebrate Maſs; the Canonical hours: and to adminiſter Sacraments: ſo that it was not a bare Licenſe to Preach. 5. The Reaſon of it was, That none below the Dignity of a Biſhop, might be truſted with the Judgment of Foreigners Pretences to holy Orders. Which therefore can make nothing to our Licenſes to Preach. There is another Proviſion concerning Chaplains celebration in any of our Churches, after *Lollardiſme* began to ſpread it ſelf; made in a Council at *Oxford* under *Thomas Arondel Anno* 1408. in theſe words: *Nullus Cappellanus admittatur ad celebrandum, in aliqua Diœceſi noſtræ Cantuarienſis Provinciæ, in quâ Oriundus ſive Ordinatus fuerit; niſi deferat ſecum Literas Ordinum ſuorum, atque Literas Commendatitias Diœceſani ſui* &c. without which Orders and Commendatory Letters of the Biſhop, if any Rector, Vicar, or Curate, did permit him to celebrate, *Permittens acriter puniatur*. On which we may obſerve, 'Tis a Rule for Chaplains not Incumbents. 2. It enables them to celebrate Divine Service, as well as to Preach, and ſo accords not with our Licenſes.

Lynd. de Cler. peregrinat. c. 8

IIII. *Fourthly*, When Licenſes were firſt introduced, the Church obliged no Incumbents to take theſe Licenſes to Preach. If they did Require it, we might expect to hear of them, either at Inſtitution, or Induction: but we hear of none in company with either of them.

Firſt we hear of none at Inſtitution. There is a Conſtitution made at *Lambeth* under Archbiſhop *Peccham*, concerning the Inſtitution of an Incumbent, directing the Form of it, in theſe words: *Statuimus ut uniuſquiſque Epiſcopus, Clerico quem ad Eccleſiam admittit, Literas Patentes ſuper ſua Admiſſione concedat. Inter alia continentes, in quo conſiſtat Ordine: etiam quo Titulo, ad hujuſmodi Beneficium admittatur* &c. Had that Council then thought Licenſes to Preach neceſſary, no doubt they had order'd them too. Seeing now the Incumbent was going to his Cure, under the obligation of the Canons to Preach, and Inſtruct his People.

It ſeems the *Gloſſator* thought the Letters of Inſtitution thus drawn, were Title good enough, without any farther Licenſe

to

to Preach: for He tells us *Hæ enim Literæ in Beneficialibus habentur loco Tituli.* That this Inſtitution was his Title.

Secondly, nor doth any thing concerning theſe Licenſes appear, when Mandats for Induction were enjoyn'd In the Council held at *Oxford* under the afore named *John Stratford* in the year 1343 (as many reckon) or 1342 (as the Manuſcript Copy in the *Bodleian* Library hath it) Mandats for Induction are mentioned; and the Rates of them ſet, to bound the Gripes of Avarice. But no mention is yet made of theſe Licenſes to Preach. The Conſtitution is *Sacro approbante Concilio ſtatuimus, ut hi qui admiſſos ad Beneficia Eccleſiaſtica, ad Mandatum Superioris tenentur inducere; pro inductione hujuſmodi facienda Sumptibus contententur moderatis. Videlicet ſi Archi Diaconus Inducat* xl *Denarijs. Si ſuus Officialis, duorum ſolidorum perceptione.* Providing, that if either take more than is there allowed, for the Induction, or *propter Literas Certificatorias* (meaning the indorſed Certificates of Execution) They are to be ſuſpended *ab Officio, et ingreſſu Eccleſiæ.* Till they Refund the Extorted money, to the Party wronged. *Conſt. Prov. in. 13. tit. 6.*

We may (without doing violence to our Reaſon) believe, That bounds had been ſet, to the Rates of Licenſes alſo, had there been any ſuch things then in uſe. And the rather becauſe the ſame Council, under the ſame Prelate, complain'd heavily of the great Exactions then on the Clergy. And therefore fixt the charge of every Seal then in uſe, for Incumbents to take, as appears by their Conſtitution *Sæva et miſerabilis Cupiditas* &c. which hath been already touched. In which they Decree againſt both Biſhops, Archdeacons, and their Clerks; That they ſhall not take for any Writings above twelve pence. Nor for any Letters of Orders above ſix pence. And for Sealing nothing at all. If any Clerk took more, he was to refund double. If he were a Beneficed man, he was ſuſpended *ab officio & Beneficio.* If a Lay man he was to be ſuſpended *ab ingreſſu Eccleſiæ*, till ſatisfaction made. *Conſt. 1. 3. tit. 22.*

'Tis very probable, That ſuch Conſtitutions of our own, and the Catholick Church, cauſed that Learned and tender Prelate Biſhop *Bedell*, to write the Letters of Orders and Inſtitutions himſelf as the worthy Dr. *Burnet*, the preſent Biſhop of *Sarum* teſtifies of him. v. Burnets *life of Bedel.*

The ſame Council condeſcended to take notice, That Archdeacons would not ſuffer Incumbents, to adminiſter Divine ſervice, in the Cures they were admitted to, till they had paid them

ſix

ſix pence, for matriculation, in their Rolls of Call. Which payment that Council reduced to one penny as formerly it was. And is it probable they ſhould omit a Licenſe (if any) that remembred ſuch a Trifle?

And farther to ſhew the diligence of the Gloſs on that Decree, that nothing be forgotten; It blames thoſe Ordinaries, that will Reviſe their Clergies Orders, Inſtitutions *&c.* for benefit: though they have peruſed and ſatisfied themſelves about them before.

Thirdly, In the firſt appearances of any Licenſes to Preach, we find the Incumbents of Churches, not charged to take them. But their Right to Preach, by virtue of their Inſtitution; and their Obligation thereto, is acknowledged.

The firſt Occaſion of forbidding Preaching, without Licenſe, that we meet withall, was in regard to *Wickliffes* Doctrins, then much ſpread in *England*: under the name of *Lollards*. Not ſo called *e Lolio* from *Durnell*, as *Godolphin* and *Lyndwood*, and other *Civilians* fancy. As if they were the plague of the Church, as Darnell is of Wheat. But from one *Walter Lollard* a *German*, the firſt noted to profeſs thoſe Doctrins, about the year 1315. This Sect ſpread much in the Reign of *Edw.* III. and increaſed to the times of *Hen.* V. whereof *John Wickliffe* Rector of *Lutterworth* was the greateſt Promotor, in *England*. Of whoſe Doctrine Forty Five Articles ſtand condemned in the Eighth Seſſion of the Council of *Conſtance*. As likewiſe at *London Anno* 1382. And at length, the Profeſſors of it were condemned to puniſhment, by Act of Parliament, made 2 *Henry* V. *cap.* 7. And *Thomas Arondell* Arch Biſhop of *Canterbury*, decreed many things againſt them, in a Council held at *Oxford*, *Anno Dom.* 1408. And Pope *Martin* the Fifth *Anno* 1429 raiſed a Cruſado againſt Them, under the Conduct of *Henry* Cardinal of S. *Euſebius* and (if my memory fail not) then Biſhop of *Wincheſter*.

Richer. de Concil l. 2. *c.* 3.

Conſt. l. 5. *tit.* 5 *de hæret.*

Now ſeeing that many Foreigners, and Laymen, Catechizers, and Lecturers, took upon them to Preach theſe Doctrines; a Conſtitution was made, in the ſaid Council at *Oxford* 1408, That none ſhould Preach without Licenſe.

The words of the Decree are; *Ordinamus quod nullus Sæcularis aut Regularis, ad prædicandum verbum Dei, a jure Scripto minime authoriſatus: privilegiove ſpeciali munitus, Officium ceu exercitium prædicationis ejuſdem verbi Dei, in ſe aſſumat. Populove aut Clero, quoviſmodò prædicet, in Latino Sermone ſeu vulgari, in Eccleſia aut Extra* &c. Unleſs He preſent himſelf to the Dioceſan, and un-

undergo his Examination: and being found fit, he be ſent to Preach, to one or more certain Pariſhes, as the Ordinary ſhall think fit. And 'tis order'd that no Rector or Vicar is to permit any to Preach, unleſs he ſhow his Miſſion, or ſpecial Priviledge; How he appears qualified for the ſervice of Preaching. 'Or if he come from the Dioceſan, He is to ſhew his Letters 'under Seal. But this concerned thoſe that were not authoriſed *Jure Scripto*, as all Incumbents were; And Friers *Prædicants*, and *Minors* were authoriſed to Preach by ſpecial Priviledg, and the Gloſs thinks *Auguſtinians* and *Carmelites* were ſo too. So that it did not reach them. But it did reach all other Friers, Strangers, Lecturers, Catechiſers, and the like.

That Incumbents were not intended, is plain from the Exception, *Jure Scripto minimè authoriſati*, for they had their Authority under Seal, and by the Canons were bound to Preach. And the following Clauſe cleers it: '*Curatum vero perpetuum, miſſum* '*intelligimus a Jure, ad Locum et populum Curæ ſuæ.* And it farther 'adds concerning Curates that might be changed; *Sacerdotes* '*vero Parochiales ſeu Vicarii temporales, et non perpetui, in formâ* '*ſupradictâ non miſſi, in Eccleſijs illis, in quibus hujuſmodi officia gerunt* '*Illa ſola ſimpliciter prædicent, quæ in Conſtitutione Provinciali, a bonæ* '*memoriæ Johanne Prædeceſſore noſtro, in Capite Ignorantia Sacerdotum* *continentur expreſsè.*

Now becauſe men might imagine, this new Licenſe to Preach was order'd to be taken, on purpoſe to get more Fees; 'Tis wiſely provided by the Council, that it ſhould be granted, *Sine aliquali Exactione pecuniæ* without any manner of Fee. *Celeriter expediuntur, et gratis*, ſays the Conſtitution.

And then the Council provides, If any ſuch Preach, without theſe Letters: or if any ſay, the Church hath not power to lay on this Reſtraint, he incurs the Sentence of the greater Excommunication: and is to be treated as a *Heretick*, or *Shiſmatick* having all his goods confiſcated. Yea the place where ſuch Preaching is held (if not ſtopt by the People) is put under Interdict.

From this Conſtitution we may draw theſe Concluſions, 1 That this was a new Law, not impoſed before, to take Licenſes to Preach. 2 That Incumbents are declared to have power to Preach *Jure Scripto* by Law, in their Cures. 3 That ſome others had Right to Preach, without taking theſe Licenſes *Privilegio Speciali:* as Friers *Prædicants*, *Minors*, *Auguſtinians* and *Carmelites*. 4 That theſe Licenſes were to be granted by the *Dioceſian* Biſhop,

and not *per inferiorem Episcopo*, namely not by any Archdeacon, Chancellor, Commissary, Official or the like. 5 That. these, Licenses were to be taken by Strangers Lecturers *&c.* but not by Incumbents, nor their temporary Curates. 6 That these Incumbents or temporary Curates were to Admit, or Refuse such Preachers, in their Cures as they should find their Licenses to be. 7 That those who were bound to take Licenses to Preach, were not to pay one Farthing for them. This part of the Constitution well observed, would end all Disputes, about *Parochial Diocesan*, and *Provincial* Licenses. 8 It shews where this wise Council Judged Licenses to Preach necessary: Namely for all that had not perpetual, or temporary Cure of Souls. For to them that had such Cures, Ordination gave them *Jus ad Rem*, Authority to Preach, in any part of the holy Catholick Church: But Institution gave them *Jus in Re*, a Right to Preach actually to the People of their Cures: And to the temporary Curates by virtue of the Incumbents Deputation. As also to necessary Assistants in case of Sickness, or necessary Absence.

The Friers Titles, are not necessary here to be spoken to, because this Church of *England* is troubled with none of them, that come to challenge any Right.

Fifthly, If the Canons of this Church did ever oblige Incumbents to take Licenses to Preach. It was upon very extraordinary, and Accidental Considerations. Such as also forced the Church to compose books of *Homilies*, for the use of Incumbents that could not Preach.

Upon the Reformation, there were great Numbers of Incumbents, brought into the Church in the time of Popery that were not able to Preach: who yet turned Protestants and conformed to the Doctrine, and Discipline of this Church as far as they were able; whom the Piety and Charity of those times thought not fit to cast out of their Livings; because they thought fit to give them some Respect for their Conformity: and to save the *Parishes* from the burthen of their maintenance: and those poor Priests from perishing through wants: and because they had not Learned men enough to put into their places: and because they would not willfully force, by their violent treatment, so many men, to act against the Safety of Church and State; which had Enemies enough, both at home and abroad, wherefore they were permitted to continue in

their

their Living, and to celebrate Divine Service: but were never forbid to Preach: yet when the Church found them able (by their Study and Induſtry, and often hearing Sermons) to Preach; They wiſely took that opportunity, to try their Parts, and to bring them under Subſcriptions, to uſe the Proteſtants method, by requiring them to take Licenſes to Preach, when they thought themſelves able.

One may juſtly wonder how ſuch ignorant Men came into the Church: conſidering how importunate the Primitive Canons are for Prieſts Preaching: inſomuch that the laſt Council of *Carthage* enjoyns it every day, or at leaſt every Lords day. And if the Presbyter were ſick, the Deacon is order'd to read a Homily to the People. And that S. *Ambroſe*, *Chryſoſtom*, and *Auguſtines* Works ſhew that they Preacht all Faſts and Feaſts, as well as Sundays; and often every day, and many times twice a day. But this change muſt be Attributed to the guidance of the *Roman* Church, in which Preaching fell early into contempt: for *Sozomen* obſerves the difference of that Church from all others, in this matter. Οὐτε δὲ ὁ ἐπίσκοπος, ὅτε ἄλλος τὶς ενθάδε ἐπ' ἐκκλεσίας διδάσκει which was in the Reign of *Valentinian* and *Theodoſius*. And leaſt any ſhould think *Sozomen* miſtaken in the Practiſe of *Rome*, he may find the ſame Affirmed by *Caſſiodore* in his *Tripartite* Hiſtory, who lived in *Rome*, and could not be Ignorant of their ſervices. 'Tis true *Valeſius* thinks this cuſtome alter'd in Pope *Leo*, who did Preach to the People; but one Swallow makes no Summer: He himſelf looks Irregular for his pains. You may know that that Church holds *Preaching* to be no part of the Eſſence of *Prieſthood*: for they account, *Poteſtatem offerendi verum corpus Chriſti & remittendi peccata*, the power of offering the very body of Chriſt in the Euchariſt, and of Remiſſion of Sins, to make up the formality of Prieſthood. And accordingly *Anathematize* ſuch as ſay, *Qui non Prædicant, prorſus non eſſe Sacerdotes*: one may be apt to ſuſpect thoſe to be of the ſame mind, that judge a Prieſt in his place may not Preach without taking out a New Licenſe ſo to do. We deny not but a Man may be a Prieſt that can't Preach in reſpect of Age, Sickneſs, or the like: but deny him to be a Prieſt of Chriſts Inſtitution, that hath not power to Preach, if he be able: becauſe Chriſt order'd all that he ſent to Preach and Baptize. And if you read on, the next Seſſion of that Council of *Trent*, they ſeem more for Preaching than our Proteſtant Viſitors; for they ſay *Prædicationis munus Epiſcoporum præcipuum eſt*: and command all to Preach *ſaltem*

Con. Carth. 6. c. 19.

Soz. l. 7. c. 19.

Conc. Trid. Seſs 23. de Sacr. ordin. c. 1.

Ib. ſeſs 24. de Refor. cap. 4.

omnibus dominicis & ſollennibus feſtis diebus. Et tempore Quadrageſimali, et Adventus, quotidie vel ſaltem tribus in hebdomade diebus.

But the Hiſtory of the Council of *Trent* will tell you, whence this new Flame of Preaching was rais'd; intimating that Preaching was loſt in Cathedrals, *&c.* nor did any but Regulars keep it up, till *Anno* 1546, when it was raiſed again, by certain Rules of Reformation, paſs'd in the *Trent* Council, on *June* 17*th.* the ſame Year; upon the loud Accuſations *and Complaints of all People*, both Popiſh and Proteſtant for a Reformation.

Hiſt. Con. Trent. l. 2. p. 173.

Yet that Church ſeems to have an aking Tooth againſt it to this day, which may be gueſſed, from the Scornful reproaches caſt on the Preachers, by ſome of them, of whom we ſhall only inſtance in *Becanus* a *Jeſuite*, ſeeing his immodeſty knows no Bounds in his Diſpute with *Gardius*, he tells him. *Quamvis modeſtiæ Pallio ſe obtegat Gardius, Prædicanticam naturam exuere non poſſe.* Again, *Hanc Prærogativam* (ſcilicet ineptiendi) *Prædicantibus relinquo.* So he charges him *imperitia novi Prædicantis.* And farther, *Ita antiqui Patres id ſtatuunt: ſi tu cum vulgo Prædicantium aliter ſentis per me licet.* Again *notæ ſunt Prædicantium Impoſturæ, ut facile caveri et contemni queant.* So again *novellus aliquis Prædicans ſuſſuratur argumenta ex Bellarmino.* By which and many other ſuch like paſſages; one may diſcern their bitterneſs againſt Preaching, as a moſt ridiculous Employment; yet S. *Paul Magnifies*, or rather Glorifies *this Office.* And tells us *by this folliſhneſs of Preaching, God intends to ſave ſome.* And 'twas the Apoſtles main buſineſs, as that great Apoſtle notes, *For Chriſt ſent me not to Baptize, but to Preach the Goſpel.* By which it appears that Preaching was not only an eſſential part of a Prieſt, but is preferred to Sacraments themſelves. So that a Jeſuite follows Jeſus in his Name, but his Sentiments are vaſtly different, and often contrary; for Chriſt ſent the Preachers, and the Jeſuite derides them.

Bec. c. Gard. pag. 784. *Id.* 1. c. §. 16. p. 17. *Id.* §. 73. *Id.* §. 170. *Id.* c. 3. §. 117. *Rom.* 11. 13. 1 *Cor.* 1. 21. 2. *Cor.* 1. 17.

If any doubt of the Ignorance of the *Roman* Clergy, at the Reformation, they may ſee it proved beyond Exception, in the learned *Jewel* againſt *Harding*; in truth Learning made ſo great a fall in the ſixth Century, that the prime Men of the World, had very little of it. Even *Theodorick* King of *Italy*, and *Juſtin* in *Conſtantinople*, could not write their own Names: as *Vales* in *Ammianus Marcellinus*, ſhews the greateſt of Popes *Gregory* the great, candedly confeſſes to *Euſebius* Biſhop of *Theſſaly*, that he underſtood not a word of Greek, *nos nec Græcum novimus*; ſo alſo in another Epiſtle he ſays, *Græcæ Linguæ neſcius.* And ſome great

Id. Con. Hard. Apol. p. 622. *Amarcel in Addit.* p. 669. *Greg.* op. l. 9. ep. 69. *id.* 16. ep. 39.

Men

Men in the Church knew not Latin neither, as *Paulus Jovius* notes of *Riarius* the Præſident of the Conclave of *Cardinals*, that *Ætatis honore, Sacerdotijs atque opibus, cæteros omnes anteibat, quanquam Ei deerant Literæ atque ea Virtutes quæ Sacerdotem exornant.* *Jov. vit. Leu. x.l.3. p. 127.* *Boniface* the IX. Pope, *fuit pene illiteratus* ſays *Langius*. That *Julius* 3. underſtood no more Latin than a Soldier. There fore the Canon calls the Popes *Doctores Authoritate non Scientia.* Doctors by their place not by their Learning, which gives ſome colour for the Engliſh Proverb; that hecan write no more than the Pope of *Rome*. Poor *Heriman* Biſhop of *Babenberg* was, ſays *Langius*, *expers Literarum*, and unfortunatly charged by one of his Canons, that he could not Conſtrue one verſe in the Pſalmody, was (ſays *Lambertus Schafnaburgenſis*) depoſed by the Pope from his Biſhoprick, but continued a Prieſt. Yet *Gregory* the great was more indulging, for he confirmed *Ruſticus* Elect Biſhop of *Ancona*, *et ſi Pſalmos ignoraret.* It ſeems Popes lookt aſquint on Learning as dangerous to their ſpiritual-worldly Dominion; for *Paul* II. call'd all that ſtudied Philoſophy Hereticks. And forbad the Citizens of *Rome* to keep their Children to School longer than to write and read, *Satis eſſe dicens ſi legire et ſcribere didiciſſent*; which *Platina* notes in his life; the Chronologer remarks, That when *Chryſolaras Bizantinus* came to teach *Greek* in *Rome* (which was about 1389) the *Greek* tongue had been diſuſed there for 700 years laſt paſt. St. *Francis* alſo (it ſeems) was a great ſtickler againſt Learning for he curſt Frier *John*, for going to *Bononia* for Learning; ſaying *Se malle Fratres ſuos, magis orare quam Legere*; as *Langius* reports it of him. One may ſee to what Barbarity the World was come, by the Canons that were made in favour of Ignorance: as that *Sancti loquentes per Barbariſmos non ſunt irridendi.* V. *de Conſecrat: Diſt.* 4. c. *retulerunt* and again *Epiſcopi errantes in Grammatica, non ſunt a Sapientibus deridendi.* 38 *Diſt. c. quamvis* &c. In purſuance of the deſign, of theſe and ſuch like Canons, zealous *Langius* falls fowl on *Eraſmus*, for deriding the well meaning Cardinal *Hugo*'s ſtrange miſtakes, about the meaning and derivation of *Greek* Words: but thereby proves the Barbarity of the times, ſaying of S. *Hugo*; *In ea tempora incidiſſet, quæ politiores Literas, præcipue Græcas, totam et per Galliam, et per Germaniam, prorſus incompertas & inauditas habuerant.* You may gueſs by this little, how dimm the Light was that guided the World, till the Reformation, and what wooden Tools thoſe Sr. *Johns* were that then ſupplied the place of Burning and ſhining Lamps.

Lamb. ſenet Chro. ad an. 1075.

Lang. ad an 1389.

Lang. ad an. 1254.

Lang. ad an. 1250.

We

We will propound but one grave diſpute, upon this Subject, and ſo leave it; that we nauſeat not the Reader. The famous *Aventine* in his Annals of *Bavaria*, tells us of a Prieſt of that Country who being wholly ignorant of the Latin Tongue, did yet baptize *In nomine Patria Filia et Spirita Sancta*. A Queſtion grew upon it whether it was good Baptiſm or not? *Vargilius* the Biſhop Juſtified it: but *Boniface* of *Mentz* utterly condemned it. The whole matter referred to Pope *Zachary* who (alwaies pittiful to the Blind) approved it, as done with a good Intention to Baptize.

Avent. Annal. l. 3. p. mihi 172.

But here the Reader muſt beware, That he conclude not that a groſs thick darkneſs covered all the Earth; for there were ſtill ſome ſtars in every Horizon, tho' very few. Some ſparks of Learning ſurvived the deluge, which have been blown up to the Bonfires we ſee in all places: but the Profeſſors were *Rari nantes in Gurgite vaſto*. Rare as Phœnixes, one in an Age. The Church required little more than mumming and Maſſing, and Received leſs than Required.

Now as there were many illiterate men brought into the Church that Conformed, and were Continued: ſo the Reformers, had not able men enough, to ſupply the Places of thoſe Few that laid down their Calling. They were therefore forced to make plain honeſt, but Ignorant men Incumbents, who were not then able to Preach, but were admoniſhed to attend their Studies: to Celebrate Divine ſervice; once a month to get an able Preacher into their Pariſhes: and at other times to read a Homily. For their ſakes in the preſent defect, the new Canons were made: That before they ventured to Preach, they ſhould come to their Biſhops: undergo an Examination of their Ability: and make their due Subſcriptions, and ſo Receive their Licenſes from the Biſhops.

Can. of 1603 can. 45, 46.

This method of dealing with weak Incumbents, 'tis probable the Reformers took from the Council of *Trent*, who Decreed much the ſame Things: as may be ſeen by comparing the 23 and 24 Seſſions of that Council with the Hiſtory of the Council *Anno* 1546. where they Require Licenſes to be taken for the preſent Exigent of Affairs. Judging Twilight better then quite Dark, and a Ruſh Candle to be preferred before none: That the Prodigal were better Eat Husks, than die for hunger. And the Children of the houſhold of Faith to feed on Coarſe Fare, than have no Food at all.

Seſſ. 23. 24 Hiſt. trent. l. 2. p. 174

Here

Here we ought to Conſider, That the Church at Inſtitution gave Incumbents Authority to Preach in their Cures; and never prohibited them. But long inveterate Cuſtom of Maſſing, had taught the Inſtitutor not to regard the Incumbents ability. And the Inſtituted, not to fit himſelf for a Duty that none practiſed. Yet would it appear ſtrange, to bid the Ordained Prieſt, not to Preach in his Cures ſeeing he was ordained to that very End, if Chriſts Miniſter. But they were ſatisfied of the Incumbents inability for the preſent, and ſo Required it not of him, till better able. 2. That the non Preaching Incumbents, were bound by Canon, to *procure Sermons to be Preacht in their Cure once every Month at leaſt. Concionem per Concionatorem legitime approbatum haberi procurabit* &c. *Can.* 46. But can any man believe, the Church would grant men leave, to procure Sermons, or Preachers, yet would not truſt them to preach themſelves, had they been able? 'Tis an allow'd Rule *Qui facit per Alium, facit per ſe.* So that we may conclude; It was not their not taking Licenſes made them uncapable of Preaching; but their inability to perform it. Inſomuch that the Church thought good, to wait their Progreſs in Studies, till they could perform it. 3. It is alſo plain, that Incumbents were not bound to take Licenſes to Preach before theſe Canons made, becauſe then (ſome of them at leaſt) had had them before hand; and ſo need not come before the Biſhop for them; which had ſpoiled the whole Project. 4. we may perceive too, that the *Trent* Canons, order'd theſe Licenſes; to be given *gratis*: as we noted before, of our former Canons, that related not to Incumbents. Had the Canons of 1603 made the ſame Proviſion; 'Tis odds that we had heard nothing of them to this Day: Biſhops Chancellors and Comiſſaries would not have quarrelled who ſhould have granted Them: ſince men are ſeldom keen, to cut out themſelves work, without wages. *Hiſt. Trent. l.* 2. 164.

It appears therefore upon the whole matter, That if there be any Canons, Requiring Incumbents to take Licenſes to Preach, They are grounded upon ſpecial Reaſons, and particular Occaſions that are extraordinary, and ſo can't found an Ordinary Rule. If the Ground fail the Superſtructure muſt alſo fail. We adminiſter not the ſame Remedy but where is the ſame diſeaſe. Thanks be to God, the Biſhop hath choice of able Preachers as well as able Prieſts: and can at Inſtitution provide for one as well as the other. Why ſhould that be done at twice that can and ought to be done at once? *Fruſtra fit per plura* &c. A

Prieſt

Prieſt implies a man that can Pray and Preach. Why ſhould any put aſunder what Chriſt joyn'd together. By the Canon of Canons a Preiſt muſt be *apt to teach*: as to pray, and adminiſter Divine Service. Men expect not freſh Grace to every diſtinct Diſh, that comes to Table; it ſuffices to conſecrate the whole Dinner at once. If we will take the Services apart, where will Covetouſneſs end? Why may not Clergy be forc't to take one Licenſe to Preach? another to Pray? another to Marry? another to Bury? *&c.*

1. *Tim.* 3. 2.

VI. But to Proceed *Sixthly*, That Licenſes to Preach, add not, nor diminiſh, to or from the Title to any Benefice. This Licenſe is a thing ſo extrinſick, and uſeleſs to a Divine, that he knows not what uſe to make of it. His Ordination gave him Authority to Preach, and his Inſtitution appointed out the Place: what then doth this Licenſe ſerve for? Is He more an Incumbent when he hath it, than he was without it? Both Comon Lawyers, and Civilians agree, that the Incumbents Title is as good without it as with it. So that It gives them Licenſe only to pay for it.

It would be tedious without profit, to tranſcribe, what Comon Lawyers ſay, makes a good Title to a Benifice. We may poſitively ſay that they do not ſo much as name theſe Licenſes in ſtating the Title: nor do we hear the Civilians introducing them, as neceſſary to make a Title. To cut this matter ſhort, we will vouch one, with his *Nomo Canon*, to ſpeak for all; having joyn'd the Comon Law and Civil together: namely Dr. *Godolphin*, who in his *Repertorium Canonicum* twice ſtates the Incumbents Titles 1 under the Title Parſon. He ſays no man can be a Parſon unleſs 1 He be in holy Orders. 2 four and twenty years, of age. 3 unleſs he be admitted by Inſtitution. 4 and Inducted. 5 unleſs he ſubſcribe the uſe of the book of Comon Prayer, and take the Biſhops Certificate of it. 6 unleſs he within two months after Inſtitution and Induction, read the 39 Articles in his Church, on ſome Sunday *tempore Divinorum*, and declare before the Congregation, his unfeigned Aſſent, and conſent, to every thing conteined and required in them. And on the ſame Sunday read the ſervice of the day. In all which we hear nothing of this Licenſe to Preach. And his 5th refers only to Incumbents *Aug.* 24. 1662.

Reper. Law. cap. 17. § 4.

Again the ſame Author, in his Title Incumbent, ſhews four things Preparatory to the being a Compleat Incumbent. 1 The

Id. c. 28. § 1.

Patrons

Patrons Præſentation. 2 The Biſhops Admiſſion after Examination, making a Record of his name. 3 The Clerks Inſtitution. 4 The Clerks Induction. Theſe things, and peacable poſſeſſion for ſix Months, is a *Plenarty pro hâc vice*, and barrs any in a *Quare Impedit*. So that then Licenſes are neither antecedently neceſſary, to the ſettlement of an Incumbent: nor conſequently neceſſary to continue him in his Cure. What then ſhould move ſome men to urge theſe Licenſes; but what makes the Mare to go?

Seventhly, That the forcing Incumbents to take Licenſes, was of no benefit to the Church: nor to the Officers, but the Fees. This will appear,

1. By conſidering that Licenſes to Preach can't bind from Preaching falſe Doctrine, more than Subſcription to the 39 Articles will do: for what virtue is there in the Biſhops, or Chancellors hand and wax, more than in our own Subſcription and Promiſe, to keep us Orthodox? Is that an Amulet againſt Hereſy? nor can we ſee any virtue in it, to reſtrain Preaching againſt Conformity or Ceremonies, more than in our Subſcription to the three Articles in the 36 Canon, of the Canons made 1603. Beſides, the Laws of this Realm back, and enforce the obſervation of our Subſcriptions; but take no notice of theſe intruded Licenſes as arbitrarily impoſed on a tame and couching Clergy.

2. The Clergy may as effectually be corrected, and Reformed from ill, Heretical, or Shiſmatical Preaching, without Licenſes as with them. For the Incumbent may be convened, admoniſhed, Reprov'd; and upon *non* Amendment, may be ſuſpended; and if contumatious Excommunicated: and ſtanding ſo for Forty daies, may be deprived. And if he ſtill perſiſt in Hereſy or Schiſm, be diliver'd over to the Secular Arme. If they will give him Liberty of Preaching, they are anſwerable to God for all the Miſcheifs he doth, but the Church is clear.

This way muſt be taken with Licenſes too, as well as without. For tho' men dote on them, they can no more ſtrangle wicked Preaching than other Seals and Subſcriptions: nor ſo much, being not warranted by Law. And in truth this was the only Remedy the Primitive Church had, to ſuppreſs all their Hereſies and Schiſms: convening the Offender before the Dioceſan: if that cured not the malady, then before the Synod; where the Hereſy or Schiſm was declared, and the Party reformed or Excommunicated: and the People admoniſhed to withdraw from Him.

This Courſe may be taken ſtill againſt all ſorts of Sectaries, that by Baptiſm were once made members of our Church. Who either will not take Licenſes, or can't be reformed by them.

If it be ſaid that, however Licenſes are a more expedite way, becauſe 'tis but taking them away from ſuch as Preach Hereſy, or Schiſm. We may anſwer. 1 They muſt firſt be convicted by due proceſs, before they are puniſhed; for *Hallafax* Law is not well reliſhed in *England*. So that the other method will be as nimble as this. 2 If Licenſes are *durante beneplacito*, they are too haughty for any thing leſs than the Papal Dignity to give, and too ſlaviſh for a Miniſter of Chriſt to receive. 3 If teaching be an eſſential part of Prieſthood, 'tis impoſſible to take it away, but by depoſing the Prieſt: and that is the puniſhment directed in the 38 Canon. 4 'Tis probable ſuch ill men would not deliver up their Licenſes, nor if they did, would hold themſelves thereby diſabled to Preach: ſeeing (generally ſpeaking) all Clergy believe themſelves authoriſed to Preach by Ordination: and the place aſſigned out by Inſtitution: and think Licenſes as uſeleſs Tools impoſed upon Incumbents of Livings: ſo that the Cure would not be ſo quick as imagined. 5 Add to this that it would look ill, to ſee an unpreaching Miniſtry; neither ſuſpended *ab Officio*, nor *Beneficio*, but *a parte Officij*; a term as uncouth among *Civilians*, as *Chagrine* amongſt the *Engliſh*.

3. The dreadfull Rebellion of 1640 did give us a ſad Experience of the little ſervice theſe Licenſes did the Church. for the Lecturers (to whom they were neceſſary) were ſo far from being confined by them, That they were the loudeſt and ſhrilleſt Trumpets of the War. The Lecturers Holy water ſwell'd the Flouds of the Church and States calamity. Their Pulpits were the bellowing Drums, on which they beat the Allarms of War. They were ſet up, ſays the Hiſtory of the Reformation in 1550: and *Barrow* againſt *Gifford* tells you why. 'The Lecturer was brought in to anſwer the *Geneva* Platform, 'that we may have a Doctor beſides a Paſtor. He calls him 'a Sectary Teacher: a Roving *Stipendiary Predicant*— brought 'in by ſuch of a Pariſh as have Itching Ears — From theſe 'ariſe the *Schiſms* and *Sects* in the Church of *England*— They are 'Sighers for Reformation, and Conſcience Botchers— They ſe-'duce and diſtract the People, ſome to this Preacher ſome to 'that, from their own Pariſhes and Churches: calls them bats 'being

Burnet *Ref. p.* 2. *lib.* 1. *pag.* 160.

V. Barrow *againſt* Giff. *pag.* 136.

'being neither *Laiety*, becauſe *Ordained*; nor *Clergy* becauſe 'they had no *Benefices*. Of whom He gives a large (and no doubt a true) Account, having been bred under them, till he turn'd *Browniſt*, and fell into the Rigid Separation.

'Tis probable, that Holy Biſhop and Martyr *Ridley*, foreſaw the danger that would ariſe, from ſuch Licentiates, that He ſet himſelf ſo heartily againſt them, as the Hiſtorian notes, as alſo did King *Edwards* wiſe Privy Council, forbidding the People, to have any thing but Prayers on the Week daies. Burnet *ibid.*

It were not difficult to ſhew, that the *Smectymnuan* Party, and many other of thoſe Firebrands of that Rebellion, were men tied by Subſcriptions, and yoaked with theſe Licenſes: yet being men of no Conſciences, theſe nor any other Ties could hold them, but like maſterleſs Swine, broke through the Quickeſt hedges of Laws, and Canons, with theſe Yoaks about their Necks. Which alſo proves *Barrows* Character true of the 'Lecturers, That they had Counterfeit ſhews of Holineſs, 'gravity, auſtereneſs of manners, preciſeneſs in trifles: but large 'Conſciences in matters of greateſt weight. And withall ſhews, that the very Reaſon urged for the neceſſity of Licences, *viz.* to ſtop the Preaching of Sedition; doth rather prove the uſeleſneſs of them to that End; by the very Inſtance given. Barrow *ib.*

Having cleered the Truth of theſe *Seven* Particulars, and thereby proved the unreaſonableneſs of urging Incumbents to take Licenſes to Preach; There are two Things farther to be ſpoken to. *Firſt*, To inquire in what Caſes Licenſes to Preach may be neceſſary. *Secondly*, To Anſwer the Arguments brought for the taking of Licenſes by Incumbents.

Firſt, In what Caſes Licenſes to Preach may be neceſſary. Seeing the true End of Licenſes, is to bring men, admitted to any teaching Office in the Church, to ingage and Subſcribe to Conformity in Doctrine, Worſhip, and Diſcipline, practis'd in the Church of *England*: we judge it Reaſonable, that thoſe only be required to take ſuch Licenſes, as are not known to have made ſuch Promiſes, Subſcriptions and Ingagements to the Church, at Inſtitution or any other way. Such are

1 Lecturers, that are not Incumbents in the Dioceſs, where they Preach ſuch Lectures: becauſe the Biſhop may not be aſſured of ſuch Subſcriptions, Promiſſes, and Ingagements. This we believe to be the meaning of the 36 Canon, in which the three Articles for Subſcription are contained. The words of which are, *No Perſon ſhall hereafter be received into the Miniſtry:* *Can.* 1603. *can.* 36.

nor either by Inſtitution, or Collation admitted to any Eccleſiaſtical Living; nor ſuffered to Preach, to Catechize, or to be a Lecturer, or Reader of Divinity—— except he be Licenſed, either by the Archbiſhop or Biſhop of the Dioceſs (where he is to be placed) under their Hands and Seals: or by one of the two Univerſities, under their Seal &c. *Except he ſhall Firſt Subſcribe to theſe three Articles following, in ſuch manner and ſort as we have here appointed.* From whence we gather, 1 That all Officers in the Church ought to have a Licenſe to their Office. 2 That this Licenſe ought to be under the Hand and Seal, of ſome Archbiſhop or Biſhop of the place, or of the Univerſity. 3. That this Licenſe is in order to enforce their Subſcription to the three Articles. 4 That the word *Licenſe* is not determined in its ſignification, for it may be a Licenſe to enter the Miniſtry, or a Licenſe for Inſtitution, or Collation: or a Licenſe to Preach: or to Catechize: or to be a Lecturer or Reader in Divinity. The Firſt we call Letters of Ordination: the Second Letters of Inſtitution. The Third, Fourth, Fifth, and Sixth, are properly Licenſes of Preaching which we inquire after. 5 The Licenſe of either Univerſity can aſſign no place for any man to Preach, except amongſt themſelves: as to the *Kings* and *Margarets* Profeſſors; and the Proceeding Graduates in Divinity: with the ſetling and diſpoſing them (it ſeems) the Univerſities are intruſted. Any other Licenſe they can give, is but a Commendation of a Profeſſor, for his ability in his Profeſſion: which is to be Reckoned amongſt the beſt ſort of Teſtimonials, in all parts of the Chriſtian World: but can give no Authority to preach any where, but amongſt themſelves.

The Lecturer therefore, by this Canon, is oblidged to take a Licenſe to Preach: and he ſhould be the more carefully lookt after, that the Church run not twice aground on the ſame Quick-ſands. Nor ſhould the Biſhops be over forward to grant ſuch Licenſes, without the Conſent of the Incumbent; ſeeing he hath an Intreſt in the Cure. And (as *Barrow* obſerves) *their main buſineſs was to alienate the Hearts of the People from the Parochial Miniſter.*

Barrow *Ib.*

We the rather expound the ſaid Canon, for a Licenſe of Preaching to Lecturers, becauſe the very next Canon ſingles out, thoſe that are Licenſed to Preach in the former Canon by the reſtrain'd ſence, of *Licenſed to Preach, Read Lecture, or Catechize.* So that we Judge the Licenſe to Preach, only referrs to them, and not to any Incumbent.

Can. 37.

2. Pub-

2. Publick ſtipendiary Catechizers, ought alſo to take theſe Licenſes to Preach; as being mentioned in both the Canons, and indeed, Catechizing is one way of Teaching, as Preaching is another. And 'tis meet thoſe men ſhould be Orthodox, and conformable to the Church, leaſt they ſhould infect young veſſels with ill Sents in Religion. The *Jews* call'd the Catechized *Haniſh* from חָנַךְ *Imbuere*, becauſe he receives a Tincture by it, which may be falſe unleſs well looked after.

'Tis too true we have but few ſuch now, diſtinct from Parochial Miniſters; but *Martinius* hath proved *Catechiſtarum prater Epiſcopos & Paſtores fuit peculiaris Ordo*; and inſtances in *Pantanus*, *Clemens*, *Origen*, &c. in the Church of *Alexandria*. *Juſtin* Martyr was Converted by Catechizing; which he commends much to the Senate of *Rome*. And *Luther* calls himſelf *Diſcipulum Catechiſmi*. *Optatus* was a Catechiſt in *Carthage* in S. *Cyprians* time. S. *Mark* is ſaid to turn the great School of *Ptolomey Philadelphus* in *Alexandria*, to a School of Catechiſing. And *Pamphilus* a Chriſtian Philoſopher ordained a famous School in *Ceſarea* for this purpoſe: which had eminent Teachers in them; we have by S. *Pauls* a School *Catechizationis* in *London*, and in the late Learned Doctor *Busby*, is ſaid to have ſet up ſuch an Officer in S. *Margarets Weſtminſter*: 'tis pitty there were not many more, yet without obliging themſelves, by Subſcriptions to teach Orthodoxly, and conformably to the Faith, and Diſcipline, profeſſed in the Church, they would only ſerve to increaſe Hereſy and Schiſm.

Mart. Tr. 2. § 2. p. 86.

Juſt. Martir Apol.

Cypr. l. 3. *ep.* 22.

3. We muſt add to theſe the *Curates*, employ'd under Parſons, and Vicars, to ſupply their Cures, who, ſhould they take no Licenſe to Preach or ſerve the Cure, would give no Caution to the Church for their good behaviour in it. They would be the only Freemen in it to Preach and practiſe as they Liſt, being obliged to nothing. The Canon reaches them too, in that it orders none ſhall be ſuffered to Preach without being Licenſed. The Church hath as much Reaſon to fear them as any other, becauſe They are commonly young men, hot, and raſh, and may hope by overturning the preſent Eſtabliſhment to be the true Owners, of what they are now but Truſtees. And are apt to Court the People for advantage. And gave ſome inſtances, of their helping hand, in the overthrow of the Church, in the fatal Revolution of the great Rebellion. And if there be any others in the like ſtate, they ought to be obliged, by the ſame methods: for where there is *Eadem Ratio*, there is to be *Idem Jus*. As thoſe that have Donatives, *&c.*

We

We are now to proceed, to Anſwer the Arguments brought for Incumbents taking of Licenſes to Preach.

Obj. 1. Tho' Ordination give Authority to Preach, yet it aſſigns no place to exerciſe that Function in, nor no People to whom the Ordained may apply that Office; ſo that a Licenſe muſt be taken to appoint out the place, or men would run in heaps to the ſame place, and introduce endleſs Confuſion: in as much as the Prieſts would not know, which of them ought to Preach; nor the People, which of them they were bound to hear.

Anſw. 1. We conſent that Ordination aſſigns no place, to exerciſe our Authority in; but It refers the Practice in expreſs words, *To the Congregation, where Thou ſhalt be Lawfully appointed thereunto.* Which place the Biſhop knows before hand, for He is not to Ordain without a Title. It being an ancient Rule in the Common Law of this Realm, That no Biſhop may ordain Laymen, to the Order of Clerks, above the number ſuffizing to ſerve the Churches, as that old Author hath it, in the mirror of Juſtice. And the Canons of 1603 ſhewing that *It hath long ſince been provided, by many Decrees of ancient Fathers, That none ſhould be admitted either Deacon, or Prieſt, who had not firſt ſome certain place, where he might uſe his Function*—— They therefore Decree, *That henceforth, no Perſon ſhall be admitted into ſacred Orders, except he ſhall at that time, exhibite to the Biſhop, of whom he deſireth Impoſition of hands, a Preſentation of himſelf, to ſome Eccleſiaſtical Preferment then void in that Dioceſs.* &c. Providing that if any Biſhop admit any that hath no Title there enumerated *He ſhall keep, and maintain him with all things neceſſary, till he do prefer him to ſome Eccleſiaſtical Living.*

V. Office of Ordin. of Prieſts.

Mir. Juſt. c. 1. §. 3. p. 14.

Canon 33.

2. Inſtitution is the Inſtrument, by which the place of Preaching, and performing all other Functions of an Incumbent, is *Lawfully appointed.* For Licenſes to Preach are unknown to the Law. Inſtitution avoids all Confuſion. And without Inſtitution aſſign the place of Exerciſe, of the Miniſterial Calling, it is altogether uſeleſs.

3. Licenſes to Preach, may name a Place, but can aſſign none: becauſe it is not the legal Inſtrument to give the Title, nor can we take any Induction upon ſuch Licenſe ſhould it be granted, that Inſtitution aſſigned not the Place, of exerciſing the Office of a Preiſt: we ſhould have no place to celebrate Divine Service notwithſtanding the Licenſe to Preach.

4. The Argument would be as good for a Licenſe to marry: Another to Bury: another to Catechize; For ſeeing Ordination

gave

gave us power to do theſe, but aſſigned no place, and without a certain place, we ſhould run into Confuſion; one may with as much Reaſon urge a new Grace to every Diſh of Meat, that comes up at a Dinner. The Argument is *a fallacia Conſequentis*; It being a plain *non ſequitur*, That Ordination aſſigns no place, therefore we muſt take Licenſes. The true Conſequence is, therefore we ought to have *Inſtitution*. In a word he that holds this Argument good, is at home in no Principles but in Popery. For he muſt believe Preaching to be no eſſential part of a Prieſts office; but that the formal Reaſon of a Prieſt is, to offer Sacrifice, and to Remit Sins, according to the true notion of the Council of *Trent*. But to as many as believe the *Ratio Formalis* of a Prieſt, is Preaching the Goſpel, and celebrating Divine ſervice, and Sacraments: The Argument is a plain Abſurdity. Yet God forbid we ſhould think, thoſe that uſe it, took it out of the *Trent* Cloak-bag.

The Canons of 1603. do Require that Beneficed Men take Licenſes to Preach: For the 45 Canon mentions *Beneficiati ad Concionandum admiſſi*. And the 46 *Benefeciatus ad Concionandum non admiſſus*. 2. *Obj.*

1. Thoſe Canons mention no Licenſe to Preach. 2. Nor is it the deſign of them to Require Incumbents, or any other to take ſuch Licenſes. 3. Only they may ſuppoſe, that the weak Romiſh converted Incumbents, ſuffer'd to continue in Benefices: or thoſe weak Men the Reformers at firſt put in; might be obliged to take Licenſes before they Preached. 4. The Canons may reſpect Benefices, that are not Preſentative, but Donative; of which there are many in *England*: and ſuch Incumbents having no Inſtitution, will need Licenſes both to Preach and do all other duties of a Miniſter in their Benefices. 5. Nor is it likely, any thing hinder'd thoſe Beneficed Men from Preaching, but their own inability, ſeeing the 46 Canon requires and inſtructs, them, to procure others to Preach for them. *Concionem per Concionatorem legitimè approbatum haberi procurabit*, once every Month at leaſt. For he that appoints whom he pleaſes, may do it himſelf if he could. 6. We doubt not but a Church ought to Examine who is fit to Preach, before he be allowed; but this the Roman Church did not require, in their Maſſing Prieſts: therefore they examined them not. And 'twas in vain for the Reformers to examine theirs, whom they know to be inſufficient for it: But the Biſhop ever ſince, is bound to examine this Ability before the Ordination, and ſo there is no Room nor Occaſion for Licenſes *Anſw.*

to Preach, as distinct from Ordination and Institution, in this present State of the Church. A Helmet may be useful in a Battle, but it shew'd *Mark Coleman* mad, to wear one every night in his Bed. 7. In short the design of the 45 Canon was to command all men that were able, to Preach one Sermon, in their Cures every *Sunday*: but because some could do it, and some not, the Canon distinguishes and Requires only them that were admitted to Preach: and the 46 requires those that could not, to procure one that could: and this is the Summ of the matter.

Obj. But it is very Expedient that Incumbents take Licenses to Preach, to prevent Error in the Church, and Sedition in the State.

Answ. Would Licenses to Preach work these mighty Feats, He were to blame, that would not make them *Annual*: So great a Benefit were a cheap Purchase at 10*s. per Annum* a man. But alas! men fancy what brings them profit, is profitable also for every Thing. The Mountebanks Pill cures all Diseases. *England* hath labour'd under more Heresies Schisms and Seditions, since this Antidote was Invented, than ever It did before; as is too evidently Demonstrated in the 7th Proposition. If those Christian Ties, of Subscription to the 39 Articles, with a solemn Promise, in the presence of God, and in the Face of his Congregation, to Preach no contrary Doctrine, will not restrain men from Preaching Errors, how should a meer License to Preach effect it?

And he that can Preach against or disuse the Common Prayer, or inveigh against the Discipline of the Church, after Subscription to the 3 Articles conteined in the 36 Canon, in these words I *N. N. do willingly, and ex animo, Subscribe to these 3 Articles above mentioned, and to all things that are conteined in them.* There is no hope that any chains but those that are Everlasting will hold that man. Much less can this dull Tool do it, that implies no Tye but Authority to Preach. In truth the Church could find no better Links than what men make with Their own Pen: unless they should advance an Inquisition.

But we may well wonder, why those Licenses are now more earnestly urged than before. Considering 1. The General Liberty granted by the State to Preach any thing, so they impugne not the Doctrine of the Trinity. 2. And the Practise of the several Sects that Preach what they please: and will endure no Obligations to Restrain them, from God nor Man.

3. And

3. And the Practiſe of Latitudinarans in the Church, that can explain the Myſtery of the Trinity into Tritheiſm. And ſhew us that we may worſhip Gods in a greater, and Gods in a leſſer Sence, without believing themſelves oblidged to the Contrary, by theſe Licenſes. 4. And that the proper Legal Subjects of Eccleſiaſtical Power are ſwept away, namely the High Commiſſion for puniſhing Hereſie, and the Star Chamber for puniſhing Seditious Preaching, and Conventicling to diſturb the State. Would they ſhackle the Clergy, while the Sects cuff out their Eyes. 5. After ſuch Recorded Subſcriptions, and ſolemn Promiſes, as Incumbents have made, what need they fear their Preaching Hereſies and Schiſms; unleſs they believe them Knaves! eſpecially ſeeing they are the only Banks left to ſtop the Inundation of Errors that threaten to drown'd all before it. 6. Were Men ſincere in their Zeal againſt Errors, one would think the moſt probable way to ſtop them, were, to Intercede with the Government to ſhut the Floud-Gates, which they have opened to Libertines. 'Tis no ſmall ground of Suſpition, that the ſtopping Errors is not the Thing deſigned: while men pretend to ſtop Errors that are poſſible only, when they attacque not them that are flaming amongſt us. 'Tis certain the Clergy at preſent have no Liberty to doat upon Queſtions; having work enough to ſecure their Pariſhioners Conſciences; from the Infection of ſuch Errors as the Sects broach among them; and to confute their pernicious Pamphlets.

If the matter aimed at, be a Power to out any Incumbent of his Cure, under Pretence of Preaching Error or Sedition. We may ſay the Biſhops of the Church, have power enough to deprive, for Hereſy and Schiſm, for Diſobedience and Incorrigibleneſs, as Mr. *Naſh* can tell you in his Caſe. And for contumelious words of the Book of Common Prayer, as Mr. *Robert Cawdry* can ſhew in his Caſe. Mr. *Parkers* Caſe alſo can ſhew that a man may be deprived for Drunkenneſs, if he refuſe to Reform after Admonition. And in truth (if our Authors deceive us not) any Crime may deprive a Man, if the Criminal ſtand Forty days Contumacious after Excommunication; ſo it be a Crime of Eccleſiaſtical Cognizance: and deprivation be its Puniſhment Canonical: and that the Canon be not contrary to the known Law of *England*. And the Fact, be not diſcharged by ſome general Act of Pardon. But ſtill if the Party ſo deprived will bring his Action for Tythes againſt his

v. *Repert. Can.* c. 27. *Pars. Law.* c. 17, 18. *Pars. Counſel.* lib. 1. c. 9.

Pariſhioner: the Validity of the Biſhops Sentence will come into Queſtion, and muſt take its Fortune. As it was ſaid in *Burtons* Caſe, where the Parſon was deprived for Adultery, but a general pardon intervening, He was Reſtored, without the Eccleſiaſtical Court, becauſe the Judgment of Pardons, belong to the Common Law. And ſo it will be, if the Biſhop deprive any, after Revolt from Subſcription and Licenſe according to the direction of the 38 Canon. However if an Occaſion of deprivation be the deſign, the Clergy ought to be the more wary, of admitting ſuch an Innovation, ſeeing it hath ſo ſharp Teeth.

Hab. ſcarle and Williams caſe. f. 293.

As to that Part of the Objection that referrs to Preaching *Sedition*, we may ſay 1 Subſcription to the three Articles Secures that too. Seeing the Firſt of the three vindicates the Royal Rights. 2 Oaths of Allegiance are much ſtronger than theſe imagined Ties 3. There are Laws enough to ſuppreſs ſuch Preaching and Puniſh them. 4. Licenſes to Preach, are not proper Inſtruments to hinder Preaching in any kind. 5 Many in 1640. did under theſe Licenſes, Preach Sedition: We find therefore upon the whole matter, theſe Licenſes to Preach, are expedient for nothing, more than to bring in Fees, which yet, if they muſt be continued, ought to be given *Gratis*.

Obj. 4. However Incumbents muſt take Licenſes to Preach, any where but in their own Cures, ſeeing Inſtitution can Authoriſe them no farther, than to their own Pariſhoners.

Anſw. We may ſee by this Objection, that cloſe fiſted Avarice, will hold faſt its Prey, whilſt any (tho' never ſo weak) Pretence can be made. But we may knock off its Fingers by ſhewing, that whoever is Ordained a Prieſt, hath power to Preach, in any part of the Catholick Church, wherever He is lawfully called to it. And who can doubt, but a Biſhop may have Lawfull Power to call a Man to Preach at a Viſitation, or to the Lord Mayor of *London*; or before the King; Or any Miniſter to have power to call any to help him in his own Cure. 'Twas never yet denied but an Incumbent's Authority is ſufficient, to inable him to perform by another; what Sickneſs, Neceſſary Abſence, or any other Lawful Impediment, makes him unable to do in his own Perſon. 2. Doth not the 46 Canon Authoriſe, and command him to call in a Preaching Miniſter once a Month at leaſt; If he cannot do it himſelf, Men uſe not to Preach in any Neighbours Church, but at their Requeſt: or

in

in caſe of vacancy, by a Licenſe to ſerve the Cure. 3. If it be neceſſary to take a Licenſe to Preach in another Pariſh, is it not neceſſary, alſo, to take another Inſtitution, or Licenſe to celebrate Divine Service, or Sacraments there? Or if not, may not the Incumbents Intreaty, be as ſufficient for Preaching as for Celebration of the Service and Sacraments? Any thing but Avarice would bluſh at ſuch trifling Objections. In truth he that Preaches, and he that Officiates, in any other place but his own Cure, doth it not by his own immediat Authority, but by the Right of Him that calls him to his aſſiſtance. But 4 Let it be ſuppoſed that *Titius* hath no Right to Preach any where, but in his own Cure, will the Biſhop grant him a Licenſe to Preach in *Sempronius*'s Cure? will not *Sempronius* think that injury to himſelf? and Uſurpation in the Biſhop? will not ſuch a Licenſe introduce all the Confuſion complained of? For in many ſo Licenſed, which of them can command the Pulpit? which ought the People to hear, ſeeing all are alike Licenſed to Preach? would not the Patron alſo think himſelf wronged, by ſuch an Intruſion? yea the Conſtitutions Provincial forbid it, *Exigit namque Ars noſtra Catholica, ut unicus in una Eccleſia ſit Sacerdos*, ſuch alſo is that of *Stephen Langton* in the Council at *Oxford*, *Anno.* 1222. *Nec de cætero plures vicarij in eadem Eccleſia conſtituantur.*

Otho. conſt. t. 12. cum ſit Ars, & Conſt. 13. ut. 5.

The Canoniſts indeed ſay The Pope may Preach in all the world: The Biſhop in any place of his Dioceſs, and the Incumbent in his own Cure: But none ſay, the Biſhop may Authorize two, or more, in the ſame Cure: which yet muſt be, upon this ſuppoſition. And 'tis very improbable, any man would take a Licenſe to Preach; where he hath no particular Intention to Preach; no more than he would take out a Matrimonial Licenſe to Marry, where he hath no thoughts to Marry.

But ſtill 'tis urged; That the Canons imply at leaſt, That Incumbents ought to take Licenſes to Preach: therefore it ought to be done.

Obj. 5.

'Tis true that men have long fancied this, having had the Jaundiſe of Gold upon Them, they thought the Canons looked yellow on them. Hence one while the Chancellors and Commiſſaries challenged the Right, to grant Them: another while the Biſhop damns all Theirs, and advances his own. One while the Licenſes are Parochial, another while Dioceſan, and ſometimes Provincial, as the Itch of Lucre moves: but in truth tho' there may be ſome Umbrage, yet there is none that cleerly commands the taking of ſuch Licenſes by Incumbents, and Burdens

Anſw.

cannot be impoſed on the Subjects, by probable Implications, without expreſs words, as the beſt Lawyers generally affirm. The Canons cited to prove the duty of taking ſuch Licenſes, are the 45 and 46. The 45 ſays *all beneficed men allowed to Preach, ſhall Preach one Sermon every Sunday.* Where *allowed to Preach* Is put in, to Excuſe thoſe that were not able to Preach, from this Command. For all were allowed to Preach, that were Inſtituted, if they were able, by the Conſtitutions of the Church, *That all Rectors and Vicars ſhall inſtruct the People committed to their Charge Pabulo verbi Dei.* Nor can it be ſuppoſed, That any Inſtituted to a Cure of Souls, was forbidden to Preach, ſeeing that would be *malum in ſe*, and contrary to the Canons, and, deſtructive to the People: but his inability might be wink't at, till able: and then might be allowed *Ore tenus*, by kind incouragment: without wax and Parchment. Or ſuppoſe the Beneficed man were upon a Donative, then he ought to take a Licenſe, or would be a Preacher without Subſcriptions. But the Firſt ſeems moſt agreeable, becauſe the 46 Canon requires That a Beneficed man not allow'd to Preach, ſhould procure a Sermon once a Month: which is beſt explain'd by being wink't at or excuſed from Preaching as unable; for elſe he was not only allow'd, but Required to Preach *Jure Scripto* by Virtue of his Inſtitution, if Orthodox and Able.

Conſt. Prov. de off Archiepiſc.

The 36th Canon bids faireſt for a Licenſe to Preach, but cannot be ſo underſtood generally. The Words are recited before. *No Perſon ſhall be received into the Miniſtery except he be Licenſed*; this muſt referr to a Licenſe of Ordination, called Letters of Orders. *Not admitted by Inſtitution to any Living—— except he be Licenſed*; this we call Letters of Inſtitution. *Nor Suffered to Preach, to Catechiſe, or to be a Lecturer or Reader of Divinity.* This we call properly a Licenſe to Preach; and ſo that Canon is accounted for Conformable to the Canons and Practiſe of the Church. But the other way ſuppoſes we muſt have a Licenſe to Preach, before we can be ordained, or be brought into the Miniſtery.

'Tis probable theſe Conſiderations ſwayed that wiſe and Learned Man, the preſent Biſhop of *Worceſter*, the true Ornament, and Defender of this Church, to wave preſſing of theſe Licenſes, in his Primary Viſitation. And to tell us: *All Perſons who had Cures of Souls and Legal Titles, were ſaid to be Miſſi a jure, ad locum & Populum Curæ ſuæ; and therefore might Preach to their own People without a ſpecial Licenſe.*

Biſh. of Worceſter. charg. p. 10.

Upon

Upon the whole matter, ariſes this Queſtion: whether thoſe Officers that have Receiv'd Mony for theſe Licenſes, ought not to Refund it.

To which it may be anſwered, that they ought to make Reſtitution: becauſe they can have no Conſcionable Right to it. For the Fruits of Impoſture, Extortion, and Coſenage, are accurſed Things. And thoſe that take more than they ought, ſtand ſuſpended, *ab ingreſſu Eccleſiæ, donec hæc contrà recepta, Solventibus Reſtituantur; & læſo ſuâ culpâ ſatisfaciant in præmiſſis*, as *John Stratfords* Council determins, in 1342. And in another place, the Council determins, if any Require more than is allowed, *Ingreſſum Eccleſiæ ſibi noverint interdictum, quouſque de duplo Satisfactionem, impenderint ſolventibus competentem*; Double Satisfaction the Conſtitutions in moſt places impoſe, upon Extortion of Officers. And ſo 'tis decreed in Extortions, at Viſitations, and Corrections of Incumbents. The Gloſs adds, if the Archdeacon receive Procurations when he doth not viſit, *forſan quia Epiſcopus eodem anno viſitavit, & ſuſpendebat Iuriſdictionem Archi Diaconi*,

Conſt. prov. l. 3. c. 6. de Inſtit.

Id. Conc. l. 3. tit. 22. de cenſib. v. cap. ſervas.

Id. ib. cap. Quamvis. lex naturæ.

Now we have ſhewed before, that tho' *Arondell* in his Council at *Oxford*, *Anno*, 1408. had Decreed, that Licenſes to Preach ſhould be granted, by the *Dioceſan*, *ſine aliquali Exactione pecuniæ*, And again *celeriter expediantur & gratis, difficultate quacunque ſemotâ*, without any exaction of Fee, Delay, or Dificulty; with what Conſcience then can Men retain, what they extort from a poor, but humble Clergy, almoſt reduced to Extremety, by other inſupportable Burdens. Yea *John Anton* a Canon of *Lincoln*, in his notes ſays: He that grants theſe Licenſes, may take nothing, *Etiam ſi ſic Licentiandus gratis voluerit aliquid ſolvere*: Tho' Men pay it willingly, they can't hold it honeſtly. We will add no more, being perſwaded, that if Mens own Rules, will not convince their Conſciences; no Reaſons will prevail. For we have made it plain from their own Laws, that whether Men ought to take theſe Licenſes, or ought not; yet no Money is to be paid for them: Or if any be paid, that it ought to be Reſtored again.

Ib. in cap. ut ſingula.

Conſt. l. 5. tit 3. c. Reverendiſſima, &c.

Gloſſ. 16.

If it be urged, that the Officers cannot ſubſiſt, by doing the work *Gratis*, it is already anſwered by the Conſtitutions themſelves. That the Ordinary is bound to provide maintainance for them, if the allowed Fees will not do it: thus *Stratfords* Conſtitution, that aſſigned the Fees, declared, *In cæteris vero Ordinarij ſuis teneantur Miniſtris ſtipendia conſtituere, quibus*

Conſt. Prov. l. 3. t. 22. c. ſæva.

quibus debeant merito contentari : *Stephen Langton* in his Council at *Oxford* forbids any thing to be taken for the Paper, or rather Character of Collations, Institutions or Induction; but as the Title hath it, *Collator Gratis conferat, & se per se, & per suos.* The Bishop is to settle any Incumbent or *Prebend Gratis*, farther than what the Canons allowed. And the Question is there put by *Lindwood*, whether the Notary, or Secretary may receive nothing, seeing no man is bound to serve in War without Pay, and brings in many saying, *quod Episcopus debet talibus scribentibus, de suo providere.* And produces another Rule out of the Law. *Quod sicut Episcopus Gratis Episcopatum suscepit, ita membra ejusdem Episcopatus Gratis distribuat*, which answers that of our Saviour; *Freely you have Received, Freely Give*, and at length Resolves, that if any thing be taken for the *Substance* of any thing to be done, in Ordination, Collation, Institution, or Induction; It will be Simony: but if it be not of the *Substance* of the thing to be done, but mere Writing or the like, they may Recive as much as that labour deserves, and no more.

Const. Prov. l. 3. t. 6. c. quia jux-ta.

Thus the Case stood in the Reign of *Hen.* 5. *An.* 1422. when the famous Canonist *Linwood* Dr. in Laws, returned from his Embassy to *Spain*, and composed the Provincial Constitutions which have ever since been held in great esteem, by Reason of his skill in the Common, and Canon Law of this Kingdom, and accordingly made Dean of the Arches; and after Bishop of St. *Davids*; And these Canons and Constitutions, as far as they are not contrariant to the Laws of the Kingdom, nor repugnant to the Royal Prerogative, are established to be used and executed, by an Act made in the 25 *Hen.* 8. *chap.* 19. Which Act though it were Repealed by Queen *Mary*; yet was Revived again, 1 *Eliz.* 1. and so they continue to this day.

To Conclude therefore, it is advisable, before Men grow so eager to vend Licenses to Preach, to consider, what our Lord Christ will think of such Priests, as may Baptize but not Preach: as may Communicate, but not instruct their Charge; seeing a Priest is properly a Minister of Christ, one of the sacred Orders: He instituted: Οἱ καλῶς πρεσβύτεροι προεστῶτες προσβύτεροι, the Elders that *Priest it well*, are supposed *to labour in word and Doctrine*: Else should they not be called Priests, but Sacrificers; as the *French* Translation of the Bible, allways renders the *Jewish* Ministers, *Sacrificicatours* and *Sleidan*, and many others, call the Popish Ministers *Sacrifici.* And that such as Christ sent, were to Teach all Nations, as well as to Baptize them. What God hath joyned together,

1 *Tim.* 5. 17.

gether, 'tis great Confidence in Men to keep aſunder, unleſs there were more to be got by it, than a periſhable Fee. Can theſe two Prieſts, be both of one Order; Chriſt's, that could Teach and Baptize? ours that could Baptize, but not Teach, ſeeing they differ in an Eſſential part of their Calling.

Secondly, They ſhould conſider too, what the Primitive Church would think of ſuch Proceedings: ſeeing they never heard of any Licenſe beſides Ordination and Miſſion: nor of any Prieſt but what could and ought to Preach as well as Baptize.

Thirdly, They ought alſo to conſider, what Neighbour Churches and Nations, will Judge of our Miniſtery; when they ſhall hear that we Ordain, and Inſtitute Prieſts, that have not Power to inſtruct their People.

Fourthly, They might do well alſo to conſider, what the ſeveral Pariſhes of *England*, may deem, the Church Rulers are about to do, in ſending them Miniſters, that have no Power to Preach among them. Will not they be apt to ſuſpect, ſuch Rulers have little care of the Peoples Souls. And that they are about to ſettle Sir *Johns* among them.

Fifthly, Nor is it wholly to be ſlighted, what the ſeveral Sects of this Kingdom, may judge of the National Miniſtry; may they not take occaſion from hence to affirm, our Prieſts to be no Miniſters of Chriſt, ſeeing they have not Power to Preach the Goſpel, by their Ordination, and Inſtitution; without ſome farther Authority. We know their Readineſs, to Catch at the ſhadow of an Argument againſt our Miniſtry, to give ſome alleviation to their Schiſmatical Guilt, and to ſupport their ſinking cauſe. But hereby we ſeem to thruſt a Cudgel into their hands to drub us and our Miniſtry withall. It had been far better our own Mouths had been ſhut in this Point, than to Open ſo many Mouths againſt us.

Laſtly, It may not altogether be unworthy our Conſideration, what our Reformers would think of theſe Licenſes to Preach, now urg'd; ſeeing they changed the very Simbols of Ordination; laying aſide the Chalice and Patin, and inſtead thereof, putting the Teſtament, or Bible, into the hand of the Prieſt, in his Ordination: Requiring, and enabling him to take Authority, to Preach the word of God. Thereby evincing that in their Judgment, Preaching was an Eſſential part of the Prieſts Office; and that it was a fault in the Roman Church needing Reformation: That they made only Maſſing Prieſts, and took

too little Care of the Preaching part. They might suspect by such Licenser, we would deform the Reformation and plunge into an Opinion, that *Hoc facite* makes a Priest; or at least that a License had been a better Simbol, than their Bible, to be delivered in Ordination.

You see (dear Sir) my Thoughts in this Affair, and some of the Reasons of them. And may peradventure guess from hence, that Profit, and importunity of Officers may blind well-meaning Men. I believe you know my Resolution, to comply with this our common Mother, in every Indifferent thing. But I fear, if this were well sifted, it would appear more Dangerous, than the Sticklers for it are aware of: But I leave the whole to your clear and candid Judgment, to Act according to those Dictates, it shall perscribe, Remaining

Yours,

in our common Saviour.

J. M.

FINIS.